

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

Case No. 5:23-cr-00140-M-RJ

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIAM KORY BROWN,

Defendant.

ORDER

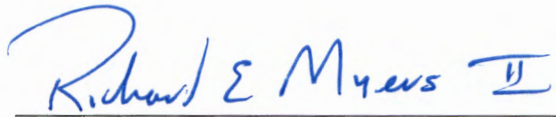
This matter comes before the court *sua sponte*. On March 15, 2024, this court sentenced Defendant to 132 months of imprisonment for distributing and possessing child pornography. *See* DE 36. Although mandatory restitution applies, as indicated at the sentencing hearing and in the judgment, this court deferred the imposition of restitution until 90 days after sentencing to ensure an adequate determination of the full amount of any victim's losses and the defendant's relative role in the causal process that underlies those losses. *See* 18 U.S.C. §§ 2259(b) & 3664(d)(5).

The 90-day restitution deadline expired on June 13, 2024. However, a sentencing court “nonetheless retains the power to order restitution—at least where, as here, the sentencing court made clear prior to the deadline’s expiration that it would order restitution, leaving open (for more than 90 days) only the amount.” *See Dolan v. United States*, 560 U.S. 605, 608 (2010); *United States v. Hargrove*, 2024 WL 489477, at *2 (4th Cir. Feb. 8, 2024).

On or before August 23, 2024, the parties shall inform the court regarding the status of negotiations between defense counsel and the victim(s). The parties shall also include their position on whether the restitution deadline should be extended to allow them additional time to

submit a final determination of the losses of Defendant's victim(s) to the extent those losses reflect Defendant's relative role in the causal process. *See* 18 U.S.C. § 2259(b).

SO ORDERED this 9th day of August, 2024.



RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE